

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAWRENCE JACKSON,

Petitioner,

v.

Case No. 13-10724
HON. TERRENCE G. BERG
HON. PAUL J. KOMIVES

RANDALL HAAS,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION

Petitioner Lawrence Jackson, a state prisoner currently incarcerated at the G. Robert Cotton Correctional Facility in Jackson, Michigan, is seeking a writ of habeas corpus, alleging that there is insufficient evidence to support his conviction, that he was denied the effective assistance of counsel, and that his sentence is both disproportionate to his offense and the product of improper judicial factfinding.

On September 16, 2013, the Court referred this case to Magistrate Judge Paul J. Komives. This matter is now before the Court on the Magistrate Judge's March 31, 2014 Report and Recommendation (Dkt. 11), recommending both that Petitioner's application for a writ of habeas corpus be denied, and that Petitioner should not be granted a certificate of appealability.

The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo

determination of those portions of the report . . . to which objection is made.” *Id.*

Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). Nevertheless, the Court has carefully reviewed Petitioner’s application and the government’s response and does hereby **ACCEPT** and **ADOPT** Magistrate Judge Komives’ Report and Recommendation of March 31, 2014, as this Court’s findings of fact and conclusions of law.

Therefore, Petitioner’s application for a writ of habeas corpus is **DENIED**; further, Petitioner is **DENIED** a certificate of appealability.

SO ORDERED.

Dated: April 24, 2014

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on April 24, 2014, using the CM/ECF system; a copy of this Order was also addressed to Petitioner and mailed to 476683 G. Robert Cotton Correctional Facility, 3500 N. Elm Road, Jackson, MI 40201.

s/A. Chubb
Case Manager